

REMARKS

35 U.S.C. §103

Claims 1-6, 8-12 and 14-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,342,007 to Wood in view of U.S. Patent No. 6,227,969 to Yoseloff. For the reasons set forth below, Applicant respectfully disagrees with the Examiner's rejection.

With the embodiments of the present invention, non-random cards are given to the player in response to the player placing the second wager. That is, if the player is dealt the Q♠, K♠ and the A♠ and elects to place the second wager, the player is given the 10♠ or J♠ because they are the only two specific cards that will give the player an increased chance to obtain the Royal Flush outcome. Therefore, once the player is provided the 10♠ or J♠, the player now holds four cards to the Royal Flush. Then, the player is given a random card from the remaining cards in the deck of cards, including the one non-random specific card (i.e., 10♠ or J♠) not provided to the player. The remaining cards in the deck include cards of other suits and the remaining Royal Flush card. Therefore, the player is not guaranteed of a winning outcome, let alone a Royal Flush, but the probabilities have been improved for the player. Accordingly, with the embodiments of the present invention and as claimed, there are two primary steps: 1) in response to player placing a second wager, the player is provided with one or more non-random specific cards of the subject Royal Flush; and 2) the game continues with the player receiving a random card(s) from the remaining deck in an effort to complete the Royal Flush. None of the cited references disclose or suggest providing the player with one or more non-random specific cards needed to increase the likelihood of the player achieving a pre-established outcome (e.g., Royal Flush). Independent claims 1, 10 and 15 have been amended to more concisely recite this feature.

More particularly, Wood fails to disclose a player receiving one or more non-random specific cards. To the contrary, Wood simply modifies the remaining deck of cards in response to the player holding four cards to a flush. Thus, if the player holds the 10♠, J♠, Q♠ and K♠, the deck of remaining cards is modified to remove all non-spade cards so that

a random final card is provided from a pool of cards comprising the A♠, 2♠, 3♠, 4♠, 5♠, 6♠, 7♠, 8♠ and 9♠ thereby guaranteeing a flush or possibly a Royal Flush when the final random card is dealt from the pool. Thus, in Wood, all cards are randomly provided albeit from different pools of cards. However, at no time is the player in Wood provided with one or more non-random specific cards from the remaining cards in the deck as recited in the amended claims. Moreover, the present claims recite that replacement cards (after the one or more non-random specific cards are provided) come from the remaining deck of cards with cards of all suits present. In other words, the only modification to the deck of cards with the embodiments of the present invention is the removal of the one or more non-random specific cards which have been provided to the player in response to the player making the second wager.

Similarly, Yoseloff fails to disclose a player receiving one or more non-random specific cards. Yoseloff is a match game with none of the attributes of the present claims. Other than showing a second wager, it does not disclose any of the unique claimed elements of the present invention.

Consequently, individually or in combination, Wood and Yoseloff fail to render the present amended claims obvious.

It is respectfully submitted that the application is now in condition for allowance and, accordingly, reconsideration and allowance are respectfully requested. Should any questions remain regarding the allowability of the application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

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Date: July 30, 2007